

## **Search and Examination of International Applications Filed Under the Patent Cooperation Treaty**

The United States Patent and Trademark Office (USPTO) is currently exploring several approaches to better manage the workload on the USPTO in its capacity as an international searching authority (ISA) and international preliminary examining authority (IPEA) under the Patent Cooperation Treaty (PCT). Improvements in the ability to manage that workload will better enable the USPTO to focus its resources towards reducing the backlog of pending national applications and enhance its ability to meet the PCT time limits for issuance of the various reports required under the PCT.

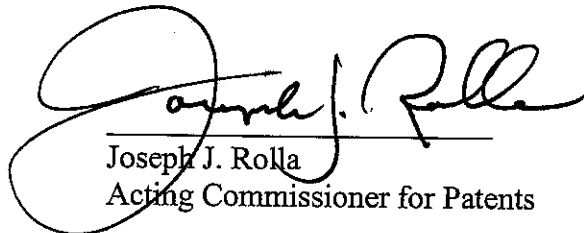
In FY 2004, the USPTO received over 45,000 PCT applications and was selected as the ISA or IPEA in over 25,000 applications. During the same time, the USPTO received over 350,000 regularly filed U.S. patent applications. Projections for FY 2005 call for substantial increases in both of these numbers. As is evident from these statistics on PCT filings, the USPTO faces the challenging task of performing the increasing workload due to the international search and preliminary examination functions required of an ISA and IPEA under the PCT, while also addressing workload and pendency issues with respect to national applications.

The USPTO is exploring entering into arrangements with other established intellectual property offices that currently serve as an ISA and IPEA to perform, on a pilot basis, some of the international search and international preliminary examining functions currently performed by the USPTO in its capacity as an ISA and IPEA. If the pilots are successful, the USPTO may make such arrangements permanent. PCT applications for which an international search and/or international preliminary examination will be performed by another intellectual property office would be selected by the USPTO based on the terms of the agreement with such offices.

Additionally, the USPTO awarded contracts to commercial entities on September 9, 2005, in response to the Office's April 29, 2005 solicitation for proposals for a PCT search pilot program. (Information concerning this solicitation is available at <http://www.uspto.gov/web/offices/ac/comp/proc/pctsearch/pctsearchhom.html>). The purpose of this pilot program is to determine whether prior art searches by commercial entities can be performed at a cost effective rate while maintaining the accuracy and quality standards for searches conducted by the USPTO during the patent examination process. This pilot will commence early in the first quarter of FY06.

Although increased efficiency and ability to process the applications filed with the Office are very important, the USPTO remains committed to ensuring that the quality of the work products produced is of the high level we all expect and demand. Efficient government operations and high quality results are cornerstones of the President's Management Agenda and the guiding principles for these efforts. The Office will be providing updates on these programs as progress develops.

9/19/05  
DATE

  
\_\_\_\_\_  
Joseph J. Rolla  
Acting Commissioner for Patents